Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder:

Law Clerk: Laurent Chen

SEE ATTACHED CHAPTER 13 UNCONTESTED/CONTESTED CONFIRMATION

The Court has determined that it is in the best interests of creditors and the estates to hold the Confirmation Hearings earlier than 21 days after the meetings of creditors. No objections to the earlier hearings have been filed; therefore, the following plans are either confirmed or placed on the Trustee's Pending List:

INITIAL CONFIRMATION CALENDAR FOR CASES WITH NO OUTSTANDING OBJECTIONS

JUDGE JOHNSON – January 26, 2016 at 9:55 a.m.

The following cases shall be **CONFIRMED:**

1.	NESTOR & GEMMA DE PERALTA	ATTY – GOLD & HAMMES
	15-5-3693 SLJ	

2.	ARTEMIO TORRES JR	ATTY – BROOKS
	15-5-3694 SLJ	

3.	JOSE ROCHA	ATTY – JACKSON LAW
	15-5-3728 SLJ	

INITIAL CONFIRMATION CALENDAR FOR POST BANKRUPTCY REFORM ACT CASES <u>WITH OUTSTANDING OBJECTIONS</u>

JUDGE JOHNSON – January 26, 2016 at 9:55 a.m.

From: 341 MEETING OF CREDITORS, January 11 & 13 2016

TO BE PLACED ON TRUSTEE'S PENDING LIST:

4. ALAN ALPERT	ATTY – BOONE
15-5-3705 SLJ	OBJECTION BY – BANK OF AMERICA
5. PEDRO & SILVIA CARBAJAL	ATTY – PRO SE
15-5-3725 SLJ	OBJECTION BY – TRUSTEE
6. LINDA REYNOLDS	ATTY – HAWORTH
15-5-3735 SLJ	OBJECTION BY – TRUSTEE
7. PATRICIA TORRES	ATTY – CENTRAL COAST
15-5-3736 SLJ	OBJECTION BY – TRUSTEE
8. ALICIA GURNEE	ATTY – CENTRAL COAST
15-5-3740 SLJ	OBJECTION BY – TRUSTEE
9. DENNIS & HANNY JAHNS	ATTY – FULLER
15-5-3743 SLJ	OBJECTION BY – TRUSTEE
10. NELSON COTTIER JR	ATTY – SPIELBERG
15-5-3765 SLJ	OBJECTION BY - TRUSTEE
11. MARIA SALAS	ATTY – FULLER
15-5-3782 SLJ	OBJECTION BY – TRUSTEE

Honorable Stephen L. Johnson Tuesday, January 26, 2016

Current as of 1/21/2016 at 5:30 PM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

10:00 AM **15-51605** Lorenz

Lorenzo Cardenas

Ch 7

Trustee: Poonja

Moving: Daniel K. Fujimoto

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: Motion for Relief from Stay RS #ASW-2812, Filed by Bank of New York Mellon (33)

10:00 AM **15-53580** Luis Fernandez

Ch 7

Trustee: Poonja

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: James Jingming Cai

Matter: Motion for Relief from Stay RS #JCW-10325, Filed by U.S. Bank N.A. (12)

2

Honorable Stephen L. Johnson Tuesday, January 26, 2016

Current as of 1/21/2016 at 5:31 PM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

10:30 AM **11-52550** Darelda Lucia Medina

Ch 13

Trustee: Derham-Burk

Moving: Halie Leonard

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: Motion for Relief from Stay RS #LSR-1066, Filed by U.S. Bank, N.A. (125)

10:30 AM 11-56773 Gonzalo Castillo Fernandez and

Ch 13 Maria C Gomez De Fernandez

Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: Motion for Relief from Stay RS #MEL-029, Filed by Bank of New York (54)

Comment (fr 11/24)

10:30 AM **12-58580** Peter M. Howley and

Ch 13 Amy J.L. Howley

Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: Motion for Relief from Stay RS #MEL - 032, Filed by U.S. Bank N.A. (67)

3

2

James J. Marty and 10:30 AM **13-53410**

> Ch 13 Deborah D. Marty

Trustee: Derham-Burk

Jennifer Wang **Moving:**

Opposing:

Debtor or Plaintiff Attorney: Burl S. Polon

Matter: Motion for Relief from Stay RS #JHW-880, Filed by TD Auto Finance LLC (37)

*Stipulation for AP fld 1/21/16 - awaiting signed order

Wilbur Stacy Green 10:30 AM **13-54110**

Ch 13

Trustee: Derham-Burk Austin P. Nagel

Moving: Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

Matter: Motion for Relief from Stay RS #APN-2800 Against Debtor and Against a Non-Filing Co-Debtor

Filed by Exeter Finance Corp. (38)

Emin Okanovich and 10:30 AM 15-51550

> Naila Okanovich Ch 13

Trustee: Derham-Burk

Brian H. Tran Moving:

Opposing:

Debtor or Plaintiff Attorney: Michael H. Luu

Matter: Motion for Relief from Stay re real property 1133 South Daniel Way, San Jose, California 95128

RS #BHT-10014, Filed by Deutsche Bank National Trust Company (32)

Darrell Fears 10:30 AM 15-53292

Ch 13

Trustee: Derham-Burk Reilly Wilkinson

Moving: Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: Motion for Relief from Stay RS #RDW-711 and from Co-Debtor Stay Filed by CAM VII TRUST

(18)

(fr 1/5)Comment

5

6

10:30 AM **15-53852** Ramses Espiritu Puno

Ch 13

Trustee: Derham-Burk

Moving: Katherine Gates Heidbrink

Opposing:

Debtor or Plaintiff Attorney: Arasto Farsad

Matter: a) Motion for Relief from Stay re: 2112 Newton Avenue, San Jose, CA 95122 Filed by

Wilmington Savings Fund Society, FSB (10)

b) Opposition by Debtor (12)

10:30 AM **16-50011** Colette Choates

Ch 13

Trustee: Derham-Burk
Daymon Ferguson

Moving: Opposing:

Debtor or Plaintiff Attorney: Daymon Ferguson

Matter: Motion to Instill & Extend Automatic Stay Filed by Debtor (13)

10:30 AM **16-50060** Mark Lee Osborne

Ch 13

Trustee: Derham-Burk David A. Boone

Moving: Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: Motion to Extend Automatic Stay As to All Creditors Filed by Debtor (9)

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Honorable Stephen L. Johnson Wednesday, January 27, 2016

Current as of 1/21/2016 at 5:32 PM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

1:30 PM **13-51589**

Technology Properties Limited LLC

Ch 11

Moving:

Patric J. Kelly

Opposing:

Debtor or Plaintiff Attorney: Heinz Binder

Matter: Final Application for Compensation of Fees \$10.865.50 & Reimbursement of Expenses: \$60.10

plus \$543.00 for preparing application Filed by Adleson, Hess And Kelley, APC, Special Counsel

for Debtor (731)

1:30 PM **14-50030**

Riley Crippen Goodhart, jr and

Ch 7

Denise Marie Goodhart

Trustee: Poonja

Sandi Meneely Colabianchi Moving:

Opposing:

Debtor or Plaintiff Attorney: Gregory J. Charles

Matter: a) Notice of Hearing on Trustee's Final Account (Mohamed Poonja) & Application for

Compensation for Fees: \$30,833.99 & Reimbursement of Expenses: \$137.45

b) Second & Final Application for Compensation for Fees: \$2,850.00 & Reimbursement of

Expenses: \$57.87 by Gordon & Rees LLP, Counsel to Trustee (85)

c) Application for Compensation for Fees: \$1,520.00 & Reimbursement of Expenses: \$116.61 by

Kokjer, Pierotti, Maiocco & Duck LLP, Accountant to Trustee (84)

2

Ronald V. Austin and 1:30 PM **14-54698**

> Ch 7 Janice L. Austin

Trustee: Hjelmeset

Moving: Gregg S. Kleiner

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

a) Notice of Hearing on Trustee's Final Account (Fred Hjelmeset) & Application for

Compensation for Fees: \$2,585.88 & Reimbursement of Expenses: \$13.23

b) First & Final Application for Compensation for Fees: \$3,290.00 & Reimbursement of

Expenses: \$31.06 by Dentons US LLP, Counsel to Trustee (87)

c) Application for Compensation for Fees: \$7,420.88 & Reimbursement of Expenses: \$0.00 Susan

D. Silveira, Chapter 13 Counsel to debtor (43)

Interface Aviation, Inc. 1:30 PM **15-51215**

Ch 11

Moving: Jason Vogelpohl

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: Application for Compensation of Fees: \$10,071.93 & Reimbursement of Expenses: \$0.00 Filed by

Central Coast Bankruptcy, Inc., Counsel for Debtor (73)

4

Honorable Stephen L. Johnson Wednesday, January 27, 2016

Current as of 1/21/2016 at 5:32 PM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

2:00 PM **13-51589**

Technology Properties Limited LLC

Ch 11

Moving: Marcia E. Gerston

Opposing: Robert G. Harris

Matter: a) Hearing re Request for payment of Administrative Expense Filed by Michael Davis (698)

b) Objection by Debtor (726)

c) Joinder to Objection by Official Committee of Unsecured Creditors (730)

Robert Franklin for Official Unsecured Creditors Committee

Julie Glosson for United States Trustee Maureen Harrington for Michael Davis

Comment

(fr 1/13)

2:00 PM **15-53860**

Ruben Posadas Mondero and

Ch 7

Aleguas Mondero

Trustee: Poonja

Moving:

Stanley Phan

Opposing:

Matter:

Order to Appear and Show Cause for Dismissal for Failure to Use Mandatory Forms (24)

2:00 PM 15-53965

Son Van Than

Ch 7

Trustee: Hjelmeset

Moving: Opposing:

Matter: Order to Appear and Show Cause for Dismissal for Failure to use Mandatory Forms (14)

Wednesday, January 27, 2016 † indicates associated main case data 2

Honorable Stephen L. Johnson Thursday, January 28, 2016

Current as of 1/21/2016 at 5:33 PM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

1:30 PM **15-05046** AQH, LLC v. Kilday

† Ch 11

15-50553 AQH, LLC

Moving: Matthew Jon Olson Opposing: James C. Bridgman

Matter: Pre-Trial Conference RE: Complaint for Violation of the Automatic Stay and Injunctive Relief

Comment *Half Day Trial scheduled for 2/8/16

Honorable Stephen L. Johnson Thursday, January 28, 2016

Current as of 1/27/2016 at 8:35 AM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

2:00 PM **15-05140** Huynh v. Huynh et al

† Ch 13

11-57856 Bong Huynh

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint for Declaratory Relief and Contempt for Willful

Violation of Automatic Stay

Atty for Pl - Saman Taherian (408) 295-5595

Atty for Def Stanley Friedman - Pro Per (408) 524-5400

*Answer fld 11/3/15

Comment *MSJ granted as to 2nd Cause of Action 1/19/16

2:00 PM 15-05154 Bowser et al v. Land Rover of Woodbridge, Inc et al

† Ch 7

11-60598 Laurence K. Bowser and Tara L. Bowser

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint Seeking to Enjoin Action in Violation of Discharge

Provisions

Atty for Pl - Robert Haight (831) 438-6610

1

AquaLegacy Development, LLC v. 2012 Canrow Owner, LLC et al 2:00 PM **15-05073**

† Ch 11

14-50279 AquaLegacy Development, LLC

Moving: Opposing:

a) Telephonic Case Management RE: Verified Complaint to Quiet Title to Real Property; and

for Declaratory Relief

Atty for Pl - Stephen Pessagno (831) 754-2444

Atty for Defs: Eric Schaffer (925) 939-5300

b) Order to Appear and Show Cause RE: Dismissal (40)

2012 Canrow Owner, LLC, Medallion Servicing, LL, Medallion Silver, LLC, James E. Kroetch, Robert Feole, & Brenda S. Diles - *Ans fld 8/19/15

Pensco Trust Company, David L. Dold, Bernardino Sarratea, Eugenia Ruegg, IRA Services Trust Co., Joseph B. Kohen, John Oppenheimer, Dale E. Bloom, James R. Decker, III, Susan K. Decker, Elm Ridge Investments, Inc., Norma K. Friedman, Simi Georgalos, IRA Services Trust Co., Kenneth P. Marinai, AMJ Joint Ventures, Peng Triplet Trust, Darcy E. Gardy, Karen Trattner Dold Separate Property, Stephan D. Manich, Christine C. Schaa, Alexander Yu, Lillian Lew, S. Walter Kran, M.D., Hudson Lending Co. LLC, Mohammad Kabir Taymuree, Mohammad A. Taymuree and Elissa K. Taymuree, Evan K. Chu, Cynthia L. Chu, Ofra Weiss, Ferdinand Phillips Jr., Barbara Phillips, Ariel H. Minguez, Lita C. Minguez, Brenda S. Diles, Meghan Diles, IRA Services Trust Co., Brian H. Briegleb, Justine Noonan, Brad Cless, Tom Georgalos, Colleen Georgalos, RLD Enterprises, Stellar Profit Sharing Plan, Nancy W. Koo, David Quan, Sylvia Quan & Robert A. Weiss - *Ans fld 10/5/15

Comment

Fifth Alias Summons issued 10/13/15

Schroeck v. Stocker 2:00 PM 15-05142

† Ch 7

15-52207 Scott Jason Stocker

Moving: **Opposing:**

Matter: Telephonic Case Management RE: Complaint to Determine Nondischargeabiltiy of Debt

Atty for Pl - William F. McLaughlin (510) 839-4456

Atty for Def - Brian Kandel (831) 427-5136

*Answer filed 11/13/15

Khau v. Do 2:00 PM **15-05145**

† Ch 13

15-52366 Carolyn Do

Moving: Opposing:

Telephonic Case Management RE: Complaint for Non-Dischargeability of Debt under 11 U.S.C.

§523

Atty for Pl - William Dresser (408) 279-7529

*Clerk's Default Entered 1/25/16 Comment

Franklin v. Dinh 2:00 PM **15-05137**

† Ch 7

15-52401 Hamilton Van Dinh

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint Objecting to Discharge of Debt Under 11 U.S.C. §

727(a)92), (4) and (c)

Atty for Pl - Mark N. Franklin (415) 956-2328

Atty for Def - Helen Huynh (408) 998-4185

*Answer filed 10/27/15

Khau v. Do 2:00 PM **15-05148**

† Ch 13

15-52567 Don Quang Do

Moving: **Opposing:**

Matter: Telephonic Case Management RE: Complaint for Non-Dischargeability of Debt under 11 U.S.C.

§523

Atty for Pl - William Dresser (408) 279-7529

*Clerk's Default NOT signed per defective service re summons Comment

Springleaf Financial Services, Inc. v. Brown 2:00 PM **15-05143**

† Ch 7

Deborah Elaine Brown 15-52807

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt (11 U.S.C.

§523(a)(2)(A))

Atty for Pl- Donald T. Dunning (858) 974-7600

Atty for Def- Pro Se (408) 691-8736

*Answer filed 10/30/15

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7

Honorable Stephen L. Johnson Thursday, January 28, 2016

Current as of 1/27/2016 at 9:34 AM

U.S. Courthouse and Federal Bldg.

280 S 1st Street San Jose, CA 95113

San Jose Courtroom 3099

2:30 PM **15-05091** JLL Consultants, Inc. v. Environmental Service Partners, Inc.

† Ch 11

13-53893 Mi Pueblo San Jose, Inc.

Moving: **Opposing:**

Telephonic Case Management RE: Complaint for (1) Avoidance of Preferential Transfers [11 **Matter:**

U.S.C. § 547(b)]; (2) Recovery of Avoided Transfers [11 U.S.C. § 550]; (3) Preservation of Avoided Transfers [11 U.S.C. § 551]; and (4) Disallowance of Any Claims Held by Defendant(s)

[11 U.S.C. § 502(d)]

Atty for Pl - Eric D. Goldberg (702) 796-5555

Atty for Def - Gregory Gentile (408) 287-6262

*Amended Answer filed 9/29/15

Comment

(fr 9/24, 11/12)

JLL Consultants, Inc. v. Talent Plus, Inc. 2:30 PM **15-05104**

† Ch 11

13-53893 Mi Pueblo San Jose, Inc.

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint for (1) Avoidance of Preferential Transfers [11

U.S.C. § 547(b)]; (2) Recovery of Avoided Transfers [11 U.S.C. § 550]; (3) Preservation of Avoided Transfers [11 U.S.C. § 551]; and (4) Disallowance of Any Claims Held by Defendant(s)

[11 U.S.C. § 502(d)]

Atty for Pl - Eric D. Goldberg

Atty for Def - James Powers

*OFF CALENDAR PER VOLUNTARY DISMISSAL 1/26/16

(fr 9/24, 11/12) Comment

> Thursday, January 28, 2016 † indicates associated main case data

Page 1

2:30 PM 15-05105 JLL Consultants, Inc. v. Tipp Enterprises, Inc.

† Ch 11

13-53893 Mi Pueblo San Jose, Inc.

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint for (1) Avoidance of Preferential Transfers [11

U.S.C. § 547(b)]; (2) Recovery of Avoided Transfers [11 U.S.C. § 550]; (3) Preservation of Avoided Transfers [11 U.S.C. § 551]; and (4) Disallowance of Any Claims Held by Defendant(s)

[11 U.S.C. § 502(d)]

Atty for Pl - Eric D. Goldberg

Atty for Def - Neal Salisian *Answer filed 9/1/15

*OFF CALENDAR PER STIPULATED DISMISSAL 1/26/16

Comment

(fr 9/24, 10/29)

2:30 PM 15-05108 JLL Consultants, Inc. v. NuCal Foods, Inc.

† Ch 11

13-53893 Mi Pueblo San Jose, Inc.

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint for (1) Avoidance of Preferential Transfers [11

U.S.C. § 547(b)]; (2) Recovery of Avoided Transfers [11 U.S.C. § 550]; (3) Preservation of Avoided Transfers [11 U.S.C. § 551]; and (4) Disallowance of Any Claims Held by Defendant(s)

[11 U.S.C. § 502(d)]

Atty for Pl - Eric D. Goldberg

Atty for Def - Walter Schmidt

*Answer filed 8/18/15 **Amended Answer filed 9/28/15

*OFF CALENDAR PER STIPULATED DISMISSAL 1/26/16

2:30 PM **14-05062** Trevino v. Hunnicutt

† Ch 7

13-56589 Daniel Joseph Hunnicutt

Moving: Opposing:

Matter: Telephonic Case Management RE: Amended Complaint to Determine Dischargeability of Debt

§§521(a)(1), 523(a)(6), 523(c)

Atty for Pl - Gina Beltramo (650) 592-5400

Atty for Def - Cathay Erickson (408) 287-7717

*Answer fld 12/19/14

Comment (fr 9/25, 11/13, 2/26, 3/26, 6/25, 9/24)

5

2:30 PM **14-05039** Bowyer v. Nguyen et al

† Ch 7

14-50354 Thuan-Vu Dinh Ho

Moving: Marlene G. Weinstein

Opposing:

Matter: Telephonic Case Management Conference re First Amended

Complaint for Injunctive Relief, to Avoid Fraudulent Transfers, to Avoid Post-Petition Transfers, for an Accounting and Turnover of Property of the Estate and for Declaratory Relief (41)

Atty for Pl - Marlene G. Weinstein

Atty for Defs - Michael Chinh Vu

*Ans. to First Amended Complaint filed by all Def's 7/16/14

*OFF CALENDAR PER ORDER OF DISMISSAL 11/24/15

Comment (fr 7/30, 9/24, 11/12)

2:30 PM **15-05117** Lopez v. Flood

† Ch 13

14-53428 Veronica A. Lopez

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt Pursuant to

11 U.S.C. §§ 523(a)(5), 1328(a)(2)

Atty for Pl - Brette Evans

*CONT TO 2/2/16 PER ORDER 1/25/16 (to trail Default Jgmt hrg)

Comment (fr 10/29) *Clerk's Default Entered 10/30/15

2:30 PM **15-05113** Hjelmeset v. Ooi

† Ch 7

15-50943 Lotus Farm, Inc.

Moving: Opposing:

Matter: Telephonic Case Management RE: Complaint (1) Avoid Preferential Transfer of Personal

Property; (2) Avoid Fraudulent Transfers of Personal Property; and (3) To Determine Liability

for Avoided Transfers

Atty for Pl - Mariam Marshall (510) 835-8359

Atty for Def - Pro Per *Answer filed 8/25/15

Comment (fr 9/24)

6

7

2:30 PM **15-05109** Uncle Credit Union v. Heinz, Jr. † Ch 7 15-51313 Charles Francis Heinz, Jr **Moving: Opposing:** Telephonic Case Management RE: Complaint to Determine Non-Dischargeability of Debt And for Entry of Judgment for Possession and Money (11 U.S.C. §523(a)(6) and 11 U.S.C., 523(a)(2)(A) and (B) Atty for Pl - Amanda Ferns - (925) 927-3401 Atty for Def - Gerard Launay (510) 486-1000 *Answer filed 8/11/15 (fr 9/24)Comment Logitech, Inc. v. Susewitz et al 2:30 PM **15-05065** † Ch 7 15-51434 Eric Susewitz and Brandi Susewitz Moving: **Opposing:** 10 **Matter:** Telephonic Case Management RE: Second Amended Complaint to Determine Non-Dischargeability of Debt 11 U.S.C. §\$523(a)(2), (4) and (6), 727(a)(2), (3), (4), (5), and (7); 521 (e) (2)(A)(ii) and (e)(2)(B) (32) **Atty for Pl - Stephen Pappas Atty for Def - Matthew Metzger** *Answer filed 7/6/15 *CONT TO 2/16/16 AT 1:30 PER ORDER 1/25/16 (fr 8/13, 10/6) * Pl's Request for Jury trial deemed w/drawn Comment Fresh Packing Corporation v. Guicho, Jr. 2:30 PM **15-05121** † Ch 13 15-52349 Roberto Guicho **Moving: Opposing:** 11 **Matter:** Telephonic Case Management Conference re Complaint (1) Atty for Pl - Breck Milde (408) 299-1200 Atty for Def - Brette Evans (408) 298-8910 *Answer filed 9/18/15

(fr 11/12)

Comment